

CHAPTER 48**REGULATION OF CREDIT UNIONS —
COMPLAINT RESPONSE PROCESS***H.F. 180*

AN ACT providing for the development of a complaint response process by the superintendent of credit unions and relating to the confidentiality of information obtained during the course of that process.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 22.7, Code 2009, is amended by adding the following new subsection: NEW SUBSECTION. 62. Information obtained by the superintendent of credit unions in connection with a complaint response process as provided in section 533.501, subsection 3.

Sec. 2. Section 533.501, Code 2009, is amended by adding the following new subsection: NEW SUBSECTION. 3. COMPLAINT RESPONSE PROCESS. The superintendent shall adopt rules establishing a complaint response process that shall include provisions relating to but not limited to complaint intake, preliminary informal and formal investigation procedures, complaint dismissal procedures, and imposition of remedial sanctions through an administrative resolution procedure or a contested case hearing.

a. Notwithstanding chapter 22, the superintendent shall keep confidential any social security number, residence address, or residence telephone number obtained in connection with a complaint intake, investigation, dismissal, or imposition of remedial sanctions, and may keep confidential the name of the complainant, the name of the subject of the complaint, and any other information obtained in connection with a complaint intake, investigation, dismissal, or imposition of remedial sanctions, if disclosure is not required in the performance of the duties of the superintendent, or in order to accomplish the provisions of this chapter, or otherwise required by law. At the discretion of the superintendent, the name of the complainant, residence address of the complainant, and residence telephone number of the complainant may be provided to the subject of the complaint, or to an authorized agent of such person, without waiving the confidentiality afforded by this subsection, provided that the superintendent has notified the complainant in advance of such disclosure. Disclosure or release of information by the superintendent in the course of an administrative or judicial proceeding shall not constitute a violation of this subsection.

b. Notwithstanding chapter 22, or paragraph “a” of this subsection, if the superintendent determines it is necessary or appropriate in the public interest or for the protection of the public, the superintendent may share information with other regulatory authorities or government agencies and may publish information concerning a complaint if it is determined that there is or has been a violation of this chapter, the laws of this state or the United States, or a rule promulgated or order issued pursuant to this chapter. Such information as the superintendent deems appropriate may be redacted so that the sharing, releasing, or publishing of the information in accordance with this subsection does not make available personally identifiable information.

Approved April 8, 2009

CHAPTER 49**ENFORCEMENT OF WAGE PAYMENT COLLECTION
AND CHILD LABOR LAWS***H.F. 618*

AN ACT relating to the duties of the labor commissioner pursuant to wage payment collection and child labor law enforcement, and providing penalties.

Be It Enacted by the General Assembly of the State of Iowa:

DIVISION I**WAGE PAYMENT COLLECTION PENALTIES**

Section 1. Section 91A.12, subsection 1, Code 2009, is amended to read as follows:

1. Any employer who violates the provisions of this chapter or the rules promulgated under it shall be subject to a civil money penalty of not more than ~~one~~ five hundred dollars per pay period for each violation. The commissioner may recover such civil money penalty according to the provisions of subsections 2 to 5. Any civil money penalty recovered shall be deposited in the general fund of the state.

DIVISION II**CHILD LABOR VIOLATION PENALTIES**

Sec. 2. Section 92.11, subsection 2, paragraph c, Code 2009, is amended to read as follows:

c. ~~In For cases where none of the above-named proofs designated in paragraphs "a" and "b" are not obtainable, documentation issued by the federal government that is deemed by the commissioner to be sufficient evidence of age, or an affidavit signed by a licensed a certificate, signed by the local medical inspector of schools, or if there be no such inspector, then by a physician appointed by the local board of education, certifying that in the inspector's or physician's opinion the applicant for the work permit is fourteen years of age or more.~~

Sec. 3. Section 92.19, Code 2009, is amended to read as follows:

92.19 VIOLATIONS BY PARENT OR GUARDIAN.

1. No parent, guardian, or other person, having under the parent's, guardian's, or other person's control any person under eighteen years of age, shall ~~willfully~~ negligently permit said person to work or be employed in violation of the provisions of this chapter.

2. No person shall ~~willfully~~ negligently make, certify to, or cause to be made or certified any statement, certificate, or other paper for the purpose of procuring the employment of any person in violation of this chapter.

3. No person shall make, file, execute, or deliver any statement, certificate, or other paper containing false statements for the purpose of procuring employment of any person in violation of this chapter.

4. No person, firm, or corporation, or any agent thereof shall ~~willfully~~ negligently conceal or permit a person to be employed in violation of this chapter.

5. No person, firm, or corporation shall refuse to allow any authorized persons to inspect the place of business or provide information necessary to the enforcement of this chapter.

Sec. 4. Section 92.20, Code 2009, is amended to read as follows:

92.20 PENALTY.

1. The parent, guardian, or person in charge of any migratory worker or of any child who ~~shall engage~~ engages in any street occupation in violation of any of the provisions of this chapter shall be guilty of a ~~simple~~ serious misdemeanor.

2. Any person who furnishes or sells to any minor child any article of any description ~~when which~~ the person knows or should have known that ~~said the~~ minor intends to sell in violation of the provisions of this chapter, shall be guilty of a ~~simple~~ serious misdemeanor.